

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION

IN RE: ZETIA (EZETIMIBE) ANTITRUST  
LITIGATION

MDL No. 2:18-md-2836

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**NOTICE OF SUPPLEMENTAL AUTHORITY IN OPPOSITION TO  
DIRECT PURCHASER PLAINTIFFS' AND END-PAYOR PLAINTIFFS'  
MOTIONS FOR CLASS CERTIFICATION**

Defendants respectfully submit this Notice of Supplemental Authority to alert the Court to the April 22, 2020, decision by the Court of Appeals for the Third Circuit in *In re Lamictal Direct Purchaser Antitrust Litigation*, No. 19-1655 (3d Cir. Apr. 22, 2020), ECF No. 126 (attached hereto as Exhibit A). In *Lamictal*, the Third Circuit vacated and remanded the District Court's certification of a class of drug purchasers in a case that arose from allegations that certain drug manufacturers had entered into an anticompetitive "reverse payment" patent settlement. The decision involves many of the same issues—and two of the same experts—as this action.

Dated: April 27, 2020

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 27, 2020, electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will automatically email notification of such filing to all counsel of record.

DATED: April 27, 2020

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